

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE SEPTEMBER 11 PROPERTY DAMAGE
AND BUSINESS LOSS LITIGATION

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WORLD TRADE CENTER PROPERTIES LLC,
2 WORLD TRADE CENTER LLC, AND 4
WORLD TRADE CENTER, LLC,

Plaintiffs,

v.

UNITED AIRLINES, INC., UAL CORPORATION,
AMERICAN AIRLINES, INC., AMR
CORPORATION, MASSACHUSETTS PORT
AUTHORITY, THE BOEING COMPANY, DELTA
AIR LINES, INC., DELTA EXPRESS, INC.,
MIDWAY AIRLINES CORPORATION,
HUNTLEIGH USA CORPORATION, ICTS
INTERNATIONAL, N.V., GLOBE AVIATION
SERVICES CORPORATION, BURNS
INTERNATIONAL SECURITY SERVICES
CORPORATION, PINKERTON'S INC., and
SECURITAS AB,

Defendants.
-----X

21 MC 101 (AKH)

This Document Relates to: All Cases

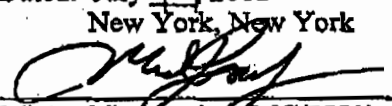
**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE**

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC # DATE FILED: 7/21/08

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys of record for the respective parties hereto, that the claims by the Plaintiffs World Trade Center Properties LLC, 2 World Trade Center LLC and 4 World Trade Center LLC ("WTCP Flight 175 Plaintiffs"), contained in the Complaint (08 CIV 3719 and dated April 17, 2008) against defendants Delta Air Lines, Inc. and Delta Express, Inc. (hereafter "Delta") with regard to United Airlines Flight 175 are hereby dismissed without prejudice and without costs to either party as against the other.

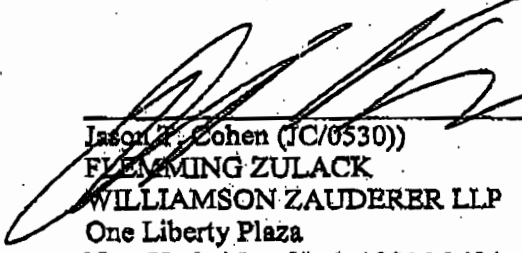
WTCP Flight 175 Plaintiffs reserve the right to recommence their claims if the Court's decision, dated June 27, 2007, granting summary judgment to US Airways, Inc., Colgan Air, Inc. and Continental Airlines, Inc. as to the claims related to United Airlines Flight 175, is reversed, vacated or otherwise reinstated by this or any other court. If such circumstances arise, Delta agrees that any such reinstatement of claims will relate back to the date of original filing and that Delta will not assert a statute of limitations defense to the refiled claims. WTCP Flight 175 Plaintiffs agree that any such reinstatement of claims will be made within ninety (90) days of the date of an Order reversing or vacating the referenced decision or otherwise reinstating the claims. WTCP Flight 175 Plaintiffs further agree that any such reinstatement of claims will be subject to any other relevant defenses for Delta, including the defense of discharge in bankruptcy, except that Delta agrees it will not assert a claim of laches as to WTCP Flight 175 Plaintiffs' potential challenge of Delta's bankruptcy defenses, so as to render any future challenge by WTCP Flight 175 Plaintiffs to an assertion by Delta of any defense founded upon discharge in bankruptcy as if that challenge were made on the date of this Stipulation.

Dated: July 17, 2008
New York, New York


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Delta Express, Inc.

SO ORDERED.

Dated: New York, New York
July 18, 2008


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Alvin K. Hellerstein, United States District Judge